



## 6/13/2023 TENANT MEETING: QUESTION AND ANSWER

### What are some good tenant resources for rental information?

lawhelpmn.org \* centralmnlegal.org \* hjcmn.org \* homeline.org

### Does a tenant need a written lease?

*No. If you are paying rent and do not have a written lease, you are considered to have an "oral" lease and a landlord must treat the lease the same as a written one.*

### Is there such a thing as an "As Is" lease?

No. As-is leases are illegal.

### Is help available to review a lease before signing it?

*Yes, obtaining legal help when signing a lease or contract is always a good idea. Resources such as Homeline will assist tenants with reviewing a lease before signing.*

### Who is responsible for filing a tenant remedies action?

*The circumstances vary from case to case. Contacting legal assistance and explaining your specific situation will narrow down the answer and potentially provide the tenant(s) with assistance to file.*

### How do I make a complaint for repairs?

*Tenants should always start with their landlord to report complaints and allow reasonable time for response and repair. Your lease should contain information on who/where to report maintenance issues. **Documentation is key!** Take photos, screen shots of text messages, save/print emails and other correspondence with the landlord. Document dates, times, people, and details of communications. If the landlord fails to properly repair the issue within a reasonable time frame, tenants may contact the city inspectors to file a complaint and/or consult legal advice to see if there are other options they can take as well. The city does not accept complaints for tenants who are under an unlawful detainer/eviction notice unless the complaint is related to an immediate life-threatening or habitability/health issue.*

### Can a landlord make a tenant waive the "reasonable" notice for entering the tenant's space for "reasonable business purposes" like repairs.

*No, the landlord must provide reasonable notice of the intent to enter the tenant's unit except in a few urgent/emergency situations. In January 2024, landlords will be required to give 24 hours' notice before entering a tenant's apartment unless the tenant and landlord agree otherwise.*

### Can a landlord charge a tenant for repairs?

No. Landlords cannot charge a tenant for repairs. Minnesota law says landlords must keep rental property fit to live in and in good repair.

### Are there resources for tenant's having a language barrier?

*Most legal services have interpreters that can assist tenants if a language barrier exists.*

**Some tenants have Section 8 assistance and are afraid of losing the support of the program for rental complaints/issues.**

*Tenants should not fear losing their Section 8 assistance. Landlords are responsible for maintaining a property at minimum standards without regard to a tenant's involvement in a program.*

### Is there anything that can be done for tenants who fear retaliation from the landlord for reporting problems?

*A landlord may not retaliate (strike back) by filing an eviction notice, increasing rent, or decreasing services because a tenant contacts an inspector. If within 90 days of a tenant's action, the landlord starts an Eviction Action or gives the tenant a notice to vacate, the law presumes that the landlord is retaliating. It will then be up to the landlord to prove the eviction is not retaliatory. However, if the landlord's notice to vacate comes more than 90 days after a tenant exercises the tenant's rights, it will be up to the tenant to prove the eviction is retaliatory.*

### Will the city evict me if my landlord loses their license?

*No. The city does not have the authority, or desire, to evict tenants from their home. The city may only hold someone responsible for occupying an unlicensed property by issuing a citation. The city rarely issues citations to tenants but cannot guarantee that a citation will not be issued to a problem tenant.*